

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 12, 2006

DIVISION THREE

B188757 People (Not for Publication)
v.
Billy R. Hemphill

The matter is remanded for resentencing as to the prior prison terms under section 667.5, subdivision (b). The judgment is otherwise affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B189857 Van Buskirk (Not for Publication)
v.
Greenlight Financial Services

The judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J. and C. Adams, Deputy Clerk.

Turner, P.J. announces that Justice Kriegler can not be present for oral argument. Unless counsel express an objection, it will be deemed that the parties stipulate to Justice Kriegler participating in oral argument by listening to the audio record of today's proceedings.

Each of the following:

B190163 Bermel v. Mickelson

B189902 People v. Niko A.

Argument waived, cause submitted.

Each of the following cases were continued to January 10, 2007, due to Justice Kriegler being unavailable for oral argument:

B184635 Samia Atalla et al v. Andrew Freedman

B187025 Danny Barnes v. Timothy A. Larson

B189273 Craig E. Caldwell

v.

Edward M. Ross et al

Merits:

Argued by David S. Eisen for appellant and by Dorothy Wolpert for respondents. Cause submitted.

Court recessed at 9:25 a.m.

DIVISION FIVE (Continued)

Court reconvened at 9:58 a.m.

Present: Turner, P.J., Armstrong, J. and C. Adams, Deputy Clerk.

Turner, P.J. announces that Justice Kriegler can not be present for oral argument. Unless counsel express an objection, it will be deemed that the parties stipulate to Justice Kriegler participating in oral argument by listening to the audio record of today's proceedings.

B187930 People v. Leslie

Argument waived, cause submitted.

B159310 Janis Adams
 v.
 Los Angeles Unified School District

Merits:

Argued by Elwood Lui for appellant and by Tyna Thall Orren for respondent. Submission deferred for ten days.

Court recessed at 10:30a.m.

Court reconvened at 10:58am

Present: Armstrong, Acting P.J., Mosk, J. and C. Adams, Deputy Clerk.

Armstrong, Acting P.J. announces that Justice Kriegler can not be present for oral argument. Unless counsel express an objection, it will be deemed that the parties stipulate to Justice Kriegler participating in oral argument by listening to the audio record of today's proceedings.

DIVISION FIVE (Continued)

Each of the following:

B189768 People v. Raphael R.
B191631 DCFS v. Alicia S.
B194019 Dianne N. v. Superior Court; DCFS

Argument waived, cause submitted.

B190305 Melody Delarroz et al
 v.
 Catholic Healthcare West

Merits:

Argued by Timothy D. Rand-Lewis for appellants and by Barbara Carroll for respondents. Submission deferred for 10 days.

B189576 Simpson & McGee Mortuary et al
 v.
 Cemetery and Funeral Bureau

Merits:

Argued by Cameron Hall Totten for appellants and by Gregory Joseph Salute, Deputy Attorney General for respondents. Submission deferred for 10 days.

Court recessed at 11:30a.m.

Court reconvened at 1:02pm

Present: Armstrong, Acting P.J., Mosk, J. and C. Adams, Deputy Clerk.

Armstrong, Acting P.J. announces that Justice Kriegler can not be present for oral argument. Unless counsel express an objection, it will be deemed that the parties stipulate to Justice Kriegler participating in oral argument by listening to the audio record of today's proceedings.

DIVISION FIVE (Continued)

Each of the following:

B188498 People v. Gonzalez
B191593 DCFS v. Roderick F.
B189707 DCFS v. Garrison W.
B190141 People v. Juan O.
B189431 People v. Blagg

Argument waived, cause submitted.

B185775 Leo Mercado
 v.
 Robert Spector

Merits:

Argued by Brian Yapko for appellant and by David Ozeran for respondent.
Submission deferred for 10 days.

B183928 Hope Park Lofts
 v.
 True Harmony et al

Merits:

Argued by Andrew Smith and Douglas Benedon for appellants and by Rick Edwards for respondent. Submission deferred for 10 days.

Court adjourned.

DIVISION SIX

B174951 Rupp, et al., (Not for Publication)
 v.
 Buenaventura Medical Group Inc.,

The order denying a motion notwithstanding the verdict is affirmed. The order granting a limited retrial is also affirmed. Each side shall bear its own costs.

Gilbert, P.J.

We concur: Yegan, J.
 Perren, J.

DIVISION SEVEN

B191575 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Robert S.

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
 Johnson, J.

B190055 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Tiffany M.

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
 Johnson, J.

DIVISION EIGHT

B186113 Lanier et al., (Not for Publication)
 v.
 Jay et al.,

The portions of the judgment relating to the June 27, 2005 ruling on the parties' equitable claims and the September 8, 2005 ruling granting Lanier's motion for attorney's fees and prejudgment interest are reversed. The matter is remanded for further proceedings consistent with the jury's verdicts and this opinion. In all other respects, the judgment is affirmed. Each side is to bear its own costs of appeal.

Boland, J.

We concur: Cooper, P.J.
 Flier, J.